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FY '04 Annual Report Janice K. Brewer Secretary of State



JULY 2004

The Secretary of State's Office publishes this annual report every fiscal year. This report is for FY '04 - July 1, 2003 through June 30, 2004. Your comments about any of our publications are appreciated.

JANICE K. BREWER Secretary of State

Janice K. Brewer



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The Public Services Division produced this report. All photos and graphics by Scott Cancelosi.





ANNUAL REPORT FY '04

ARIZONA SECRETARY OF STATE JANICE K. BREWER

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1700 W. WASHINGTON ST. 7TH FLOOR PHOENIX, ARIZONA 85007

SECRETARY OF STATE MISSION STATEMENT

AGENCY MISSION STATEMENT

The mission of the Office of the Secretary of State is to carry out its constitutional and statutory mandates which are to receive and record filings from governmental bodies and the general public; to provide election services to counties and candidates for office; to register and certify business transactions; to publish official acts of the state of Arizona including its chapter laws and rules; to appoint notaries public; and to carry out these mandates in a manner compatible with the requirements and expectations of the constituencies the office serves.

DESCRIPTION

The Department of State was created by the constitution and is headed by a publicly elected secretary of state, who serves as acting governor in the absence of the governor, and succeeds the governor should a vacancy occur. The Secretary of State's office is mainly a filing office with duties set in the Arizona Constitution and Arizona Revised Statutes.

The secretary of state is the official keeper of the Great Seal of the State of Arizona.

The Secretary of State's office receives and records various filings, including Uniform

Commercial Code transactions, trademark and trade name registrations, charity filings, limited partnership and limited liability partnership filings.

The office administers election functions, including canvass and certification of state-wide elections, registration of lobbyists and acceptance of periodic lobbyist filings, and campaign finance filings; publishes all official acts of the State of Arizona including Chapter laws, the *Arizona Administrative Code* and the *Arizona Administrative Register*, appoints notaries public, and authenticates notaries public and certain public officials for documents sent to foreign locations.

THE SECRETARY OF STATE



Janice K. Brewer was elected Arizona on Nov. 5, 2002. She was sworn into office on Jan. 6, 2003.

Before she became secretary of state, Ms. Brewer was chairman of the Maricopa County Board of Supervisors – the nation's fourth most populous county with over 3 million residents – and served for nearly six years. Secretary Brewer also served in the Arizona State Legislature for 14 years, first as a state representative from 1983 to 1986, and then, as state senator from 1987 to 1996. As senator, she held the leadership position of majority whip from 1993 to 1996. In the Legislature, she served on several committees covering issues from health care to taxes.

ADMINISTRATION

PHONE: 602.542.0681 FAX: 602.542.1575

ADMINISTRATION MISSION STATEMENT:

To provide guidance, leadership, and support to the staff of the Secretary of State's office.

DESCRIPTION

The administration anticipates the increasing expectations of the public, candidates, elected officials, media, and business community in order to provide timely and efficient filing and retrieval of information through advanced automation.

The Secretary of State's office is responsible for maintaining a record of all official acts of the governor during the year [A.R.S. § 41-121(2)], and to account for the official acts of the secretary of state including issuance and attachment of the Great Seal of the State of Arizona to documents that are filed [A.R.S. § 41-130(4)].

Administration keeps track of all secretary of state correspondence; loyalty oath filings [A.R.S. § 38-233]; extraditions; Eagle Scout certificates; and grants/denies permission for the use of the Great Seal of the State of Arizona [A.R.S. § 41-121(3)].

As the state's chief election officer, the secretary of state files in the office receipts for all books distributed by the secretary of state and direct the county recorder of each county to do the same [A.R.S. § 41-121(5)]. Certifies to the governor the names of those persons who have received at any election the highest number of votes for any office, the incumbent of which is commissioned by the governor [A.R.S. § 41-121(6)].

Computer information systems, budget and fiscal operations, and human resources are all managed under administration.

The Secretary of State's office keeps documentation of filings and registrations made within its divisions, as well. Counts of these transactions are tabulated throughout this report where available. Citations to the Arizona Constitution, Arizona Revised Statutes (A.R.S.) and *Arizona Administrative Code* (A.A.C.) are also included in this annual report.

KEY STAFF

Kevin Tyne: Deputy Secretary of State (A.R.S. § 41-122, Assistant Secretary of State), responsible for running the day-to-day operations of the office. His duties include but are not limited to preparation of the office's budget, is in charge of human resource issues, and is the liaison between the media and the office, among other duties.

Bill Maaske: Chief Information Officer, responsible for the Secretary of State's computer network, including the Secretary of State Web site; phones and maintenance of office electronics.

Susan Myers: Financial Officer, responsible to support the Deputy Secretary of State with human resource duties. She maintains financial accounts, payroll, and procurement of office goods and services.

LOCATION & OFFICE HOURS

The secretary of state's main office and mailing address is located at the state capitol in Phoenix, 1700 W. Washington Street, in the executive tower on the seventh Floor. Office hours are from 8 a.m. to 5 p.m., Monday through Friday, except state holidays.

The Secretary of State's business filings are conducted at two locations:

Customer Service Center, 14 North 18th Ave, Phoenix, Arizona 85007

This location is conveniently located across the street from the executive tower in downtown Phoenix.

Secretary of State Satellite Office, 400 West Congress, 2nd Floor, Room 252, Tucson, Arizona 85701 This office is located in the governor's southern Arizona office complex in Tucson.

The Secretary of State election filings:

Executive Tower, State Capitol, 1700 W. Washington Street, on the 7th Floor.

OFFICE CONTACT INFORMATION

General Information	M :	Г	"1
602.542.4285 or 800.458.5842	Main	Fax	e-mail
Administration	602.542.4285		sosadmin@azsos.gov
		1	
Elections	602.542.8683	602.542.6172	elections@azsos.gov
Voter Outreach	877 THE VOTE		vote@azsos.gov
Business Services		602.542-7386	
Charities/Telemarketing:	602.542.6187		charities@azsos.gov
imited Partnerships:	602.542.6187		partnerships@azsos.gov
Notary Public:	602.542.4758		notary@azsos.gov
Trademark/Trade Names:	602.542.6187		trades@azsos.gov
Uniform Commercial Codes:	602.542.6187		ucc@azsos.gov
N 1 11 0 1		(00 540 4044	
Public Services		602.542.4366	
Publications:	602.542.4086		pubs@azsos.gov
Rules (Arizona Administrative Register & Code):	602.542.4751		pubs@azsos.gov

ARIZONA REVISED STATUTES § 41-121. DUTIES

The secretary of state shall:

- 1. Receive bills and resolutions from the legislature, and perform such other duties as devolve upon the secretary of state by resolution of the two houses or either of them.
- 2. Keep a register of and attest the official acts of the governor.
 - 3. Act as custodian of the great seal of this state.
- 4. Affix the great seal, with the secretary of state's attestation, to public instruments to which the official signature of the governor is attached.
- 5. File in the secretary of state's office receipts for all books distributed by the secretary of state and direct the county recorder of each county to do the same.
- 6. Certify to the governor the names of those persons who have received at any election the highest number of votes for any office, the incumbent of which is commissioned by the governor.
- 7. Publish slip laws of each act of the legislature promptly upon passage and approval of such act, make such acts available to interested persons for a reasonable fee to compensate for the cost of printing and provide each house of the legislature and the legislative council with a certified copy of each bill or resolution, showing the chapter or resolution number of each, as each is filed in the secretary of state's office.
- 8. Keep a fee book of fees and compensation of whatever kind and nature earned, collected or charged by the secretary of state, with the date, the name of the payer and the nature of the service in each case. The fee book shall be verified annually by the secretary of state's affidavit entered in the fee book.

- 9. Perform other duties imposed on the secretary of state by law.
- 10. Report to the governor on January 2 each year, and at such other times as provided by law, a detailed account of the secretary of state's official actions taken since the secretary of state's previous report together with a detailed statement of the manner in which all appropriations for the secretary of state's office have been expended.
- 11. Transfer all noncurrent or inactive books, records, deeds and other papers otherwise required to be filed with or retained by the secretary of state to the custody of the Arizona state library, archives and public records.
- 12. Make available to the public, without charge, title 33, chapter 11 on the secretary of state's web site.
- 13. Accept, and approve for use, electronic and digital signatures that comply with section 41-132, for documents filed with and by all state agencies, boards and commissions. In consultation with the government information technology agency, the department of administration and the state treasurer, the secretary of state shall adopt rules pursuant to chapter 6 of this title establishing policies and procedures for the use of electronic and digital signatures by all state agencies, boards and commissions for documents filed with and by all state agencies, boards and commissions.
- 14. Meet at least annually with personnel from the federal voting assistance office of the United States department of defense and with county recorders and other county election officials in this state to coordinate the delivery and return of registrations, ballot requests, voted ballots and other election materials to and from absent uniformed and overseas citizens.

Other duties are listed in statute and can be found throughout this annual report.

ADMINISTRATION STATISTICS

Administration recorded, filed or prepared:

TYPE OF FILING	NUMBER
Extraditions	
2003 extraditions filed at Records Management Center under Records Re	tention Schedule
2004	
January	21
February	36
March	48
April	35
May	27
Certificates	
Eagle Scout certificates	100
Girl Scout Gold Award certificates	23
Camp Fire Wohelo certificates	3
State Seal	
Permission granted to use the state seal	18
Denied use the state seal under A.R.S. § 41-130	1
Request to cease using seal under potential violation of A.R.S. § 41-130	1
Loyalty oaths, governor's appointments and judges (Oaths taken or appointments made July 1, 2003 to June 30, 2004)	634
Secretary of State's office has kept record of the following a	actions of the governor:
Resolutions filed	11
Memorials filed	7

Arizona - A Golden Rule State

At a signing ceremony on May 13, 2003, declaring Arizona a "Golden Rule State," Secretary of State Jan Brewer announced a new program to recognize Arizonan citizens "who live by the Golden Rule." The signing ceremony was conducted to present copies of Senate Concurrent Resolution 1006, "a concurrent resolution encouraging the citizens of Arizona to live the Golden Rule' to members of the Legislature and media. As part of the ceremony Secretary Brewer handed out "Golden Rule" marbles to remind those to live the rule.

As a new Golden Rule state, Secretary Brewer established the Golden Rule program to recognize those who treat others the way they would like to be treated and who make a difference in Arizona. This program continued in FY 2004 with certificates given to those who were considered to be worthy of "living the Golden Rule."

Those interested to nominate someone log on to the secretary of state Web page at www.azsos.gov, click on the "Golden Rule" link, and fill out a nomination form. For those without Internet access, Arizonans are encouraged to use computers available at either the Secretary of State's Office in Phoenix, 1700 W. Washington, the Tucson Satellite Office at 400 W. Congress, 2nd Floor, Room 252, or visit their local library.

BUSINESS SERVICES

PHONE: 602.542.6187 FAX: 602.542.7386

MISSION STATEMENT

To accept, deny, process and maintain a database and record of all required documents and to make them available to all interested parties.

DESCRIPTION

The Business Services Division exists to centralize state-wide registration of trade names, trademarks, limited partnerships, limited liability partnerships, limited liability limited partnerships, charities, telephone solicitors, contracted fund-raisers, athlete agents, and to perfect Uniform Commercial

Code (UCC) financing statements in an efficient and timely manner for the general public.

The Business Services Division also oversees the commissioning of notaries public for the state and certifies notarizations, rules, and laws.

KEY STAFF

Gene Palma: Director, responsible for division operations and human resources.

Mary Van Loan: Assistant Director, responsible for daily division operations and supports division director.

ARIZONA REVISED STATUTES DUTIES

The Business Services Division, files, registers and/or produces:

Apostilles and Certificates issued for documents going to a foreign country [A.R.S. Title 41, Ch. 2, Art. 2, 325-326]

Athlete Agents Registration [A.R.S. Title 15, Ch. 13, Art. 10, 1761-1776]

Charitable Organization (charities) Registration [A.R.S. Title 44, Ch. 19, Art. 1, 6551-6561]

City Charters [A.R.S. Title 9, Ch. 2, Art. 5, 283]

Contracted Fundraisers Registration [A.R.S. Title 44, Ch. 19, Art. 1, 6554]

Copyrighted Music Rights [A.R.S. Title 44, Ch. 24, Art. 1, 6901-6907]

Dance Studios Contracts [A.R.S. Title 44, Ch. 11, Art. 10, 1741-1750]

Health Spas [A.R.S. Title 44, Ch. 11, Art. 13, 1791-1796]

Intergovernmental Agreements (IGAs) [A.R.S. Title 11, Ch. 7, Art. 3, 951-954]

Notaries - complaints filed, actions on complaints [A.R.S. Title 41, Ch. 2, Art. 2, 331]

Notaries Public Commission [A.R.S. Title 41, Ch. 2, Art. 2, 311-332]

Out of State Landlord Agents for Service or "Jurisdiction and service of process" [A.R.S. Title 33, Ch. 10, Art. 1, 1309]

Partnerships Registration [A.R.S. Title 29, Ch. 1 through 5]

Public Meeting Notices [A.R.S. Title 38, Ch. 3, Art. 3.1, 431.02(A)(1)]

Revocation of Certificate, Suspension, Reissuance (reinstatement) of a suspended or revoked certificate - Board of Technical Registration [A.R.S. § 32-128(I) Title 32, Ch. 1, Art. 1, 101-150]

Telemarketers or telephone solicitors Registration [A.R.S. Title 44, Ch. 9, Art. 6, 1271-1281]

Trade Name Registration (business names) [A.R.S. Title 44, Ch. 10, Art. 3.1 1460-1460.05]

Trademarks Registration (logos) [A.R.S. Title 44, Ch. 10, Art. 3, 1441-1456]

Uniform Commercial Code (UCC) Registration i.e. financing statements [A.R.S. Title 47, Ch. 9]

BUSINESS SERVICES STATISTICS

The Business Services Division of the Secretary of State's office recorded, filed or prepared:

TYPE OF TRANSACTION OR FILING	NUMBER
The Business Services Division has accepted the following n subsequent filings and annual reports in Fiscal Year 2004:	umber of initial and
General Partnerships	6
Limited Partnerships	2,341
Limited Liability Partnerships	1,299
Limited Liability Limited Partnerships	907
Foreign Limited Partnerships	1,339
Foreign Limited Liability Partnerships	96
Foreign Limited Liability Limited Partnerships	7
The Business Services Division administers the following nu Limited Partnerships:	mber of recorded
General Partnerships	16
Limited Partnerships	18,292
Foreign Limited Partnerships	5,385
Limited Liability Partnerships	2,151
Foreign Limited Liability Partnerships	128
Limited Liability Limited Partnerships	1,290
Foreign Limited Liability Limited Partnerships	23
In Fiscal Year 2004, the Business Services Division filed:	
New Intergovernmental Agreements	785
Intergovernmental Agreements Amendments	540
Athlete Agent Registrations	70

The Business Services Division of the Secretary of State's office currently administers:

TYPE OF TRANSACTION OR FILING	NUMBER
Trademarks	
Trademarks (current administers)	19,650
The division filed the following documents related to trademark reco	ords
Applications	1,238
Renewals	302
Amendments	58
Assignments	75
Cancellations	16
Corrections	114
Mailings related to trademark records	
Reminders	1,880
Certificates	1,470
Trade names	
Trade names (current administers)	172,453
The division filed the following documents related to trade name red	cords
Applications	25,510
Renewals	6,316
Amendments	757
Assignments	1,418
Cancellations	469
Corrections	1,374
Mailings related to trade name records	
Reminders	23,688
Certificates	30,036
Uniform Commercial Code	
Uniform Commercial Code (current administers)	66,106
Uniform Commercial Code filings	546,154
Other Business Services Registrations	
Telephone Solicitors	1,052
Contracted fund raisers	49
Charities	2,579

Notary Filings and Related Duties	
Notary Commissions	71,023
Actions related to Notaries and Notarizations	
Certificates of Apostilles/Authentication for Notaries Public	18,130
Certificates of Notary Public Appointments	20,039
Certificates of Authentication	4,823
Notary Complaints	110
Complaints filed	110
Complaints resolved	55
Number of Administrative Hearings SOS was a party to.	3
Notary Workshops	·
Conducted state-wide	32
Number of people attending workshops	1685

ELECTION SERVICES

PHONE: 602.542.8683 FAX: 602.542.6172

MISSION STATEMENT

The mission of the Election Services Division is to provide professional, courteous service in the administration of campaign finance and lobbyist laws; candidate and ballot filings; training and certification of county recorders and election officials; review and certification of election equipment used by the counties; logic and accuracy tests prior to each election on counties' vote counting devices; and retrieval of filings for the public upon request.

DESCRIPTION

The Election Services Division certifies state candidates, initiatives and referenda for the ballot; transmits and certifies the results of statewide elections; registers and accepts filings for lobbyists; accepts and files campaign finance reports; tests and certifies voting devices used by the counties; and trains and certifies county election officials among other filing duties.

KEY STAFF

Joseph Kanefield: Director, responsible for division operations; human resources; planning and operations. Named director in December 2003 and became director on Jan. 26, 2004.

Kris Waite: Assistant Director, responsible for daily division operations and support to division director.

DUTIES

Campaign Finance Reports amendments

Campaign Finance Reports, electronic filings

Candidate and Non-Candidate Political Committee Campaign Finance Reports filed under the provisions of the Federal Election Campaign Act

Candidate Campaign Finance Reports

Candidates' papers to run for office

Clean Election Candidate Application for Certification as a Participating Candidate

Clean Elections Qualifying Contribution Reporting Slips

Financial Disclosure Statements filed by Public Officers and Judges and Candidates

Initiative Petitions filed by the People containing 756 signatures for verification

Lobbyist Quarterly Reports - failure to file letters mailed

Lobbyist Quarterly Reports - names reported to Attorney General for failure to file lobbyist quarterly expenditure reports

Lobbyist Quarterly Reports - reminder notices mailed

Lobbyists paid \$100 Clean Election Fee

Non-Candidate Political Committee Campaign Finance Reports

Organization for Candidate Committees statements

Organization for Non-Candidate Committees statements

Presidential Electors Nomination Papers

Presidential Preference Candidates' Nomination Papers

Principal Registrations - amendments to registration filed

Principal Registrations - initial registrations filed

Principal Registrations - terminations to principal registrations filed

Public Body Registrations - amendments to registration filed

Public Body Registrations - initial registrations filed

Public Body Registrations - terminations to public body registrations filed

Statements of Organization, amendments

ELECTION SERVICES STATISTICS

The Election Services Division of the Secretary of State's office accepted the following documents for filing or handled the following matters:

TYPE OF TRANSACTION OR FILING	NUMBER
Statements of Organization for Candidate Committees	228
Statements of Organization for Non-Candidate Committees	83
Amendments to Statements of Organization	156
Financial Disclosure Statements filed by Public Officers and Judges and Candidates	418
Candidate Campaign Finance Reports (on paper)	405
Non-Candidate Political Committee Campaign Finance Reports (on paper)	1,428
Amendments to Campaign Finance Reports	151
Initiative Petitions filed by the People containing 166,265 signatures for verification	2
Candidates' nomination petition papers to run for office	244
Presidential Electors Nomination Papers	30
Clean Election Candidate Application for Certification as a Participating Candidate	150
Qualifying Contribution Slips	11,311
Candidates Qualified as Clean Election "Participating" Candidates	40
Presidential Preference Candidates' Nomination Papers	18
Lobbyist Quarterly Registration and Reports	
Lobbyists Registrations Filed	796
Reminder notices mailed	786
Failure to File letters mailed	303

Names Reported to Attorney General for Failure to File Lobbyist Quarterly Expenditure Reports	141
Lobbyist Quarterly Expenditure Reports filed	3,209
Principal Registrations	
Initial Registrations filed	90
Amendments to Registration filed	252
Terminations to Principal Registrations filed	164
Public Body Registrations	
Initial Registrations filed	5
Amendments to Registration filed	74
Terminations to Public Body Registrations filed	18

VOTER OUTREACH

Secretary of State VOTER OUTREACH

(Above) The secretary of state's Web site included a new and improved Voter Outreach section to highlight important 2004 election information, voter registration, and information about replacing antiquated voting punch card machines. (Below) Voter registration is made easy for 18-year olds with the sending of a birthday card and a voter registration form.



The Secretary of State's office participated in several voter outreach activities during FY2004. These included the 18-year-old birthday card program where every Arizona resident receives a birthday card and voter registration form upon turning 18, Voter Registration drives at locations around the state, providing assistance to various organizations and communities on how to conduct a registration drive, and partnered with Kids Voting and National Student/Parent Mock Election to educate students on the importance of voting.

Secretary Brewer also joined corporate, government and education leaders from throughout the country in introducing the new "Declare Yourself" national campaign which seeks to get young adults more involved in the voting process.

BREWER VOTING ACTION PLAN

In 2004, Secretary Brewer announced the release of the *Brewer Voting Action Plan*. The *Brewer Voting Action Plan* represents a one-year statewide evaluation and review of Arizona's election and voting processes. The effort began in December 2003 to address the local and nationwide concerns with election processes and technology. The assessment focused on election technology, policies, procedures and security. The findings and subsequent analysis led to nine areas of recommendations, which include:

- Improving election operational procedures to ensure fair and accurate elections.
- Increasing security procedures to raise the public confidence of elections.

- Requiring a voter verified paper ballot for all types of voting systems used in Arizona.
- Increasing the sharing of information and lessons learned.
- Providing formal security awareness information, training, education, and procedures within the election workforce.
- Strengthening current state certification policies and standards for voting equipment and software to increase verifiability and transparency in the election process.
- Implementing standards and recommendations from the Election Assistance Commission.
- Modernizing election equipment and software.
- Enhancing the statewide voter registration system and processes.

HELP AMERICA VOTE ACT



During FY2004 the Secretary of State's office continued its implementation of the Help America Vote Act (HAVA). Several significant milestones were completed. The following are the major highlights of Arizona's HAVA activities in FY2004:

■ Statewide Voter Registration System – Arizona implemented a statewide voter registration system on Jan. 1, 2004, called Voter Registration Arizona (VRAZ). The program was created to help improve the voting process in Arizona by increasing voter registration and improving the quality of the voter registration roll.



Prior to VRAZ, each of Arizona's 15 counties were responsible for the quality of the voter registration rolls. The centralized statewide voter registration database compares voter registration records with other data sources to ensure the accuracy, integrity and uniqueness of the voter registration list in Arizona. VRAZ compares voter registration records with the Motor Vehicle Division (identity), courts (felony and incapacitated), Department of Health Services (deaths), and other counties (duplicates).

- Adios Chad Arizona implemented optical scan voting equipment in the ten Arizona counties that were still using punch card voting systems in time for the Presidential Preference Election on Feb. 3, 2004. Over 400 of Arizona's precincts received new optical scan tabulating equipment. Adios Chad included a large training program for election officials and poll workers along with a public outreach effort to educate the public on the new voting equipment.
- Provisional Ballots Arizona implemented statewide provisional ballot procedures and materials
 to comply with HAVA. Arizona also ensured that every voter that voted a provisional ballot has a
 no-cost method to determine if his or her ballot was counted.

■ Military and Overseas — Arizona implemented a new military and overseas program that allows people in the military or citizens that are stationed overseas to conveniently take care of their voting needs. The online system allows for military and overseas citizens to submit their request for early ballots online or facsimile.



The system also provides for ballots and voter registration materials to be provided via electronic transmission to the voter and for return of the voted ballot. Security procedures are addressed in the state's election procedures manual by making sure that ballots are printed on a secured printer and sealed.

(Right) Surrounded by military veterans and Arizona National Guard personnel, Secretary Brewer, along with primary bill sponsors Senator Marilyn Jarrett and Representative Russell K. Pearce conducted a press conference 2 p.m., April 3, 2003. The press conference was held on the lawn in front of the Senate building at the Capitol, 1700 W. Washington Street.

Secretary Brewer talked about the passage of SB 1023, the military and overseas voting assistance bill that helped to make the Secretary of State Military and Overseas Program possible.



- Voting Accessibility Grant In FY2004 the secretary of state administered a program funded by federal grant money to enhance accessibility at the polling places. Programs funded by the grant include: increased parking and improved signage, magnifying sheets and clip on lights in voting booths, temporary ramps and entrance/exit improvements to polling facilities, touch door handle adapters on existing door knobs, and a focus on customer service and sensitivity training programs for election and poll workers. Counties that received grant money included Yuma, Navajo, Graham, Gila, Cochise and Apache.
- Senate Bill 1250 This bill was passed to assure the state remains in conformance with federal election reform mandates and addresses:
 - Appropriate protection of access to voter registration information.
 - Proper notification by the Superior Courts to the secretary of state for purposes of registration cancellation.
 - Proper notification by the Department of Health Services regarding canceling names from VRAZ.
 - Updates of statute related to recent court decisions and an attorney general opinion.
 - Requirements of a completed voter registration form as well as protections to ensure everyone has an opportunity to complete the voter registration forms.

EZ VOTER



The EZ Voter program is an e-Government application that allows citizens of Arizona to completely register to vote over the Internet in either English or Spanish. A citizen can use EZ Voter to initially register to vote or to modify their voter registration. EZ Voter is the only truly online voter registration system in the country that utilizes the Motor Vehicle Division's digital signature to complete a voter registration form. The program was started in July of 2002. In FY2004, over 140,000 voter registrations were processed through EZ Voter, approximately 30 percent of all voter registrations during that period.

ELECTION OFFICER CERTIFICATION TRAINING

The Secretary of State's office conducted initial certification and re-certification training in accordance to A.R.S. § 16-407 which certified 234 election officials. Initial certification classes consists of 34 hours, 25 of which are a core curriculum focused on the basics of election administration and a written test.

Areas covered included election law, the Help America Vote Act, Initiative Referendum and Recall, candidate nomination, ethics, the National Voter Registration Act of 1993, overseas and military voting procedures, the Voting Rights Act, and pre-clearance. The class is conducted as a weeklong session.

Re-certification classes were required of all officials seeking to continue their certification from 2001 and new attendees. The classes were held at locations around the state for one day of nine hours of training focusing on technology, legislation, administration and conduct of elections. Locations consisted of Phoenix, Tucson, Prescott and Flagstaff.

PRESIDENTIAL PREFERENCE ELECTION

There was a historical significance to the Presidential Preference Election (PPE) conducted Feb. 3, 2004.

This was the first statewide election conducted without any antiquated punch card machines as the PPE results were tabulated on state-of-the-art optical scan voting equipment.

Arizona's punch card voting technology was completely eliminated through Secretary Brewer's "Adios Chad" program (see page 14).



THE ROAD TO THE PRESIDENTIAL PREFERENCE ELECTION

(Right) Secretary of State Janice K. Brewer accepts a filing from PPE candidate Joe Lieberman on Nov. 25, 2003. Many candidates and/or their representatives visited the seventh floor of the executive tower in Phoenix to file their nomination papers in the fall of 2003. The Election Services Division accepted 18 filings of Presidential Preference candidates' nomination papers.





The February Democratic PPE ballot order was officially determined Friday, Dec. 26, 2003, at 10 a.m. at the Arizona Secretary of State's office. This date coincided with Governor Napolitano's decision earlier in 2003 to move the Presidential Preference Election date to Feb. 3, 2004.

Under state statute, within 72 hours after the close of filing deadline for nomination papers (December 24), the secretary of state certifies the names of the candidates who are qualified for the ballot.

The drawing (left) was open to the public and was held at 1700 W. Washington, seventh floor. Drawing lots determine the ballot order for certified candidates under $A.R.S. \int 16-245(B)$ which prohibits the rotation of candidate names on the ballot.

The Secretary of State's office requested that all PPE candidates to have a representative in attendance to draw their own ballot position numbers. Any candidate that did not attend, or one who did not have a representative present, had a ballot position number drawn by Secretary Brewer.

Results of the canvass show the voter turnout for the PPE was 30.05 percent of registered Democrats. In comparison, the voter turnout in the previous two PPE's held in 1996 and 2000 had just over 35 percent turnout with different participating parties.

The signing of the official canvass (right) on Feb. 16, 2004 signified the conclusion of an intense six-month process of procurement, delivery, implementation, training, and education on brand new voting technology in nine of the 15 counties in Arizona.

Supreme Court Chief Justice Charles Jones and Secretary Brewer signed the official PPE at 3 p.m. at the State Capitol, 1700 W. Washington Street, in the seventh floor conference room.



PUBLIC SERVICES

PHONE: 602.542.4086 FAX: 602.542.4366

MISSION STATEMENT

To provide public information, process publication requests, file agency rules, publish the *Arizona Administrative Code* and the *Arizona Administrative Register*, chapter and print legislative bills, and publish statutorily mandated and other informational publications and documents while serving the public efficiently and professionally.

DESCRIPTION

The Public Services Division files and publishes the rules of the state's agencies in quarterly supplements to the *Arizona Administrative Code* and in the weekly *Arizona Administrative Register*. A.R.S. § 41-1001(17) states: "Rule" means an agency statement of general applicability that implements, interprets or prescribes law or policy, or describes the procedure or practice requirements of an agency. Rule includes prescribing fees or the amendment or repeal of a prior rule but does not include intra-agency memoranda that are not delegation agreements. Subscriptions to the *Code* and *Register* are maintained.

The Division assigns chapter numbers and reproduces for public distribution chapter (slip) laws as passed by the Legislature and signed by the governor and maintains subscriptions to chapter laws.

The Division prepares and prints most of the publications for the Secretary of State's office including: the state and U.S. constitution; the residential and the mobile home landlord and tenant acts; the *Arizona Blue Book*; and numerous other documents, pamphlets, and booklets for each division.

The Division maintains both paper and electronic (online) versions of publications. Both the paper and electronic publications are produced in-house saving taxpayer dollars.

The Public Services Division supports the other SOS divisions in preparation and printing (paper and electronic) of publications, office documents and public records, and special projects. The Division processes the mail for the Secretary of State's office.

KEY STAFF

Scott Cancelosi: Director, responsible for division operations; human resources; and the planning and implementation of division improvements, including records retention management. He is also responsible for secretary of state special projects, supporting other division goals and mission statements, graphics design, photography and Web site support.

ARIZONA REVISED STATUTES DUTIES

Legislative bills, slip laws – files, chapters and prints original engrossed bills passed by the Legislature. A.R.S. § 41-121(7) "Publish slip laws of each act of the legislature promptly upon passage and approval of such act, make such acts available to

interested persons for a reasonable fee to compensate for the cost of printing and provide each house of the legislature and the legislative council with a certified copy of each bill or resolution, showing the chapter or resolution number of each, as each is filed in the Secretary of State's office."

Memorials & Resolutions, passed by the Legislature – files and prints [A.R.S. \S 41-121(7)] see above.

Governor Veto Letters - files and prints

Transmits Memorials and/or Resolutions [A.R.S. § 41-121(1)] – "receive bills and resolutions from the Legislature, and perform such other duties as devolve upon the Secretary of State by resolution of the two houses or either of them".

Other Filings (files and prints in the Arizona Administrative Register and Semi-Annual Index)

Attorney General Opinions [A.R.S. § 41-1013(B)(4)], publishes a summary in the *Administrative Register*.

County Rule Notices, files and prints [A.R.S. § 49-1012].

Final Delegation Agreements [A.R.S. § 41-1081 et seq.] A.R.S. § 41-1001(6) definition of a delegation agreement - ""Delegation agreement" means an agreement between an agency and a political subdivision that authorizes the political subdivision to exercise functions, powers or duties conferred on the delegating agency by a provision of law. Delegation agreement does not include intergovernmental agreements entered into pursuant to Title 11, Chapter 7, Article 3."

Guidance Documents (Agency), files and prints [A.R.S. § 41-1013(B)(14)].

Governor's executive orders of general applicability, publishes in the *Administrative Register* [A.R.S. § 41-1013(B)(2)].

Governor's appointments of public officials and members of the state's boards and commissions. [A.R.S. § 41-1013(B)(5)].

Governor's statement of reasons for granting a commutation, pardon, reprieve, stay or suspension of execution, files and publishes [A.R.S. § 41-1013(B)(3)].

Notices of oral proceedings, public workshops or other meetings on an open rulemaking docket [A.R.S. § 41-1013(B)(15)].

Ombudsmen (Agency), ie. agency liaison, A.R.S. requirement is to print in the *Administrative Register* [A.R.S. § 41-1006].

Proclamations of general applicability - files, proclamations and publishes in the *Administrative Register* [A.R.S. § 41-1013(B)(3)].

Proposed Delegation Agreements, files and publishes [A.R.S. § 41-1081(B)].

Substantive Policy Statements [A.R.S. § 41-1013(B)(14)].

Rule Related Filings (files and prints in the Arizona Administrative Register, and/or the Arizona Administrative Code. Refer to statute for more information.)

Docket Openings, state agencies, boards and commissions [A.R.S. § 41-1013(B)(7)].

Emergency Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(10)].

Exempt Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(13)]. The Administrative Procedure Act requires the *Register* publication of the rules adopted by the state's agencies under an exemption from all or part of the Administrative Procedure Act. Some of these rules are

exempted by A.R.S. §§ 41-1005 or 41-1057; rules may exempt by other statutes or court decisions.

Expired Rules, Notice of [A.R.S. § 41-1056(E)].

Final Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(9)]. The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those that have appeared in the *Register* first as proposed rules and have been through the formal rulemaking process including approval by the

Governor's Regulatory Review Council or the attorney general. The secretary of state shall publish the notice along with the preamble and the full text in the next available issue of the *Register* after the final rules have been submitted for filing and publication.

Final Summary Rulemaking [A.R.S. § 41-1027]

Formal Rulemaking Advisory Committee [A.R.S. § 41-1021(C) and (D)]

Governor's Regulatory Review Council (G.R.R.C.) Summaries of Action Taken [A.R.S. § 41-1013(B)(12)].

G.R.R.C. Agenda

Proposed Rules, state agencies, boards and commissions [A.R.S. § 41-1013(B)(8)].

Proposed Summary Rules [A.R.S. § 41-1027]

Public Information, Notice of - Notices of Public Information contain corrections that agencies wish to make to their notices of rulemaking; miscellaneous rulemaking information that does not fit into any other category of notice; and other types of information required by statute to be published in the *Register*.

Recodification of Rules, state agencies, boards and commissions. When the Secretary of State's office finds it necessary to recodify a chapter in order to maintain the integrity of the codification system or whenever an agency requests, in writing, that the office recodify an entire chapter or portion of a chapter, the office will publish a Notice of Recodification in the Register and make the change in the Arizona Administrative Code.

Supplemental Proposed Rules [A.R.S. § 41-1013(B)(11)].

Terminated Rules, state agencies, boards and commissions.

Incorporated by reference material - maintains and incorporated by reference library of items filed with rules through 2003.

Publishes, prints and/or posts on the Secretary of State Web site.

Annual Report, posts and publishes upon request.

Arizona Administrative Register, publishes in paper and electronically to Web site [A.R.S. §§ 41-1011 and 41-1013].

Arizona Administrative Code, publishes in paper and electronically to Web site [A.R.S. §§ 41-1011 and 41-1012].

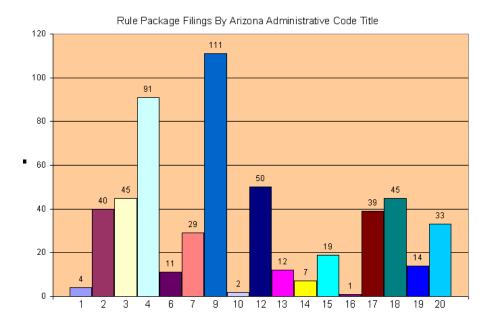
Arizona Rulemaking Manual, publishes in paper and electronically to the Web site.

Arizona Blue Book, publishes [A.R.S. § 41-131].

Residential Landlord and Tenant Act, publishes and posts [A.R.S. § 33-1322].

Mobile Home Parks Landlord and Tenant Act "Make available to the public, without charge, Title 33, Chapter 11 on the secretary of state's Web site" [A.R.S. § 41-121(12)].

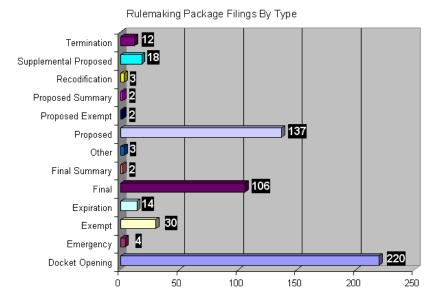
PUBLIC SERVICES STATISTICS



This chart shows the total number of filings by *Arizona Administrative Code* title (categories). Titles 5 (Corrections) and 11 (Mines) did not have any filings during this fiscal year. Title 9, Health Services had the most filings at 111 rule-related packages. Title 4, Professions and Occupations came in a close second for the fiscal year at 91 filings.

The average page count for an Arizona Administrative Code supplement was 1,650 with more than 546,232 impressions made for publication of the Code for subscribers during the fiscal year.

The total page count for Volume 9, 2003 of the *Arizona Administrative Register* was 5662. The page count for Volume 10, 2004 of the *Arizona Administrative Register* through June 25, 2004, (end of the fiscal year) was 2636.



This chart shows 552 rulemaking filings for the fiscal year. Twelve rulemakings were terminated, while 14 rules expired. If an agency does not file a five-year rule review report with the Governor's Regulatory Review Council (GRRC) including a revised report; or if an agency does not file an extension before the due date of the report; or if an agency files an extension but does not submit a report within the extension period; the rules scheduled for review expire. The GRRC is required to notify the secretary of state that the rules have expired and are no longer enforceable. The expiration notice is published in the *Administrative Register*, and the rules are removed from the *Administrative Code*.

Four emergency rulemaking packages were filed. Under the Administrative Procedure Act (APA), an agency may determine that adoption, amendment, or repeal of a rule is necessary for immediate preservation of the public health, safety, or welfare and the notice and public participation requirements are impracticable. Under this determination, the agency may adopt the rule as an emergency and submit it to the attorney general for review. The attorney general approves the rule and then files it with the secretary of state. The rule remains in effect for 180 days. An emergency rule may be renewed for one 180-day period if the requirements of A.R.S. § 41-1026 are met. If the emergency rule is not renewed or the rule is not permanently adopted by the end of the 180-day period, the emergency rule expires and the text of the rule returns to its former language in the *Arizona Administrative Code*. If any former language did not exist a historical note would reflect that an emergency rule was once in the section.

Rulemakings "overlap" during a fiscal year, that is, a rule might be proposed during this time but not become a final rule. The APA (effective January 1, 1995) requires the publication of Notices of Rulemaking Docket Opening when an agency opens a rulemaking docket to consider rulemaking. During this time 220 Docket Opening were filed. Under the APA, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. The law is not clear as to how long an agency may "wait" before filing a Docket Opening and a Proposed Rulemaking package. Many times, both are filed with our office on the same day.

For this fiscal year 137 Notices of Proposed Rulemakings were filed. These rulemaking packages contain a preamble and the full text of the rules. The Secretary of State's office publishes each notice in the *Register* within three weeks of filing. An agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022).

NUMBER OF FILINGS BY MONTH

Monthly Stats	Total Rule-related filings (See chart above)
July 2003	35
August 2003	42
September 2003	41
October 2003	50
November 2003	46
December 2003	38
January 2004	47
February 2004	61
March 2004	59
April 2004	39
May 2004	35
June 2004	62

NUMBER OF FILINGS BY CHAPTER (AGENCY, BOARD OR COMMISSION)

NUMBER OF FILINGS BY CHAPTER (AGENCY, BOARD OR COMMISSION)	
AHCCCS - Administration	3
AHCCCS - Arizona Long-term Care System	3
AHCCCS - Children's Health Insurance Program	2
AHCCCS - Premium Sharing Program	1
Arizona Commission for the Deaf and Hard of Hearing	1
Arizona Criminal Justice System	2
Arizona Health Care Cost Containment System - Administration	20
Arizona Health Care Cost Containment System - Arizona Long-term Care System	14
Arizona Health Care Cost Containment System - Children's Health Insurance Program	12
Arizona Health Care Cost Containment System - Grievance System	3
Arizona Health Care Cost Containment System - Health Care for Private Employer Group/AHCCCS Administered	6
Arizona Health Care Cost Containment System - Premium Sharing Program	2
Arizona Health Care Cost Containment System - Prescription Medication Coverage Pilot Program	2
Arizona Health Care Cost Containment System - Qualified Medicare Beneficiary (QMB)	2
Arizona Medical Board	4
Arizona Navigable Streambed Adjudication Commission	1
Arizona Racing Commission	6
Arizona Regulatory Board of Physician Assistants	2
Arizona State Lottery Commission	6
Arizona State Parks Board	4
Banking Department	5
Board for Private Postsecondary Education	1
Board of Accountancy	6
Board of Appraisal	6
Board of Barber Examiners	2
Board of Behavioral Health Examiners	1
Board of Chiropractic Examiners	4
Board of Cosmetology	2

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Board of Dispensing Opticians	1
Board of Equalization	1
Board of Examiners for Nursing Care Institution Administrators and Assisted Living Facility Managers	3
Board of Fingerprinting	3
Board of Funeral Directors and Embalmers	1
Board of Homeopathic Medical Examiners	2
Board of Manufactured Housing	2
Board of Massage Therapy	3
Board of Nursing	5
Board of Osteopathic Examiners in Medicine and Surgery	4
Board of Pharmacy	22
Board of Psychologist Examiners	1
Board of Technical Registration	6
Citizens Clean Elections Commission	4
Commission for Postsecondary Education	1
Corporation Commission - Fixed Utilities	3
Corporation Commission - Securities	1
Corporation Commission - Transportation	3
Department of Administration	1
Department of Administration - Management Services Division	1
Department of Administration - Personnel Administration	1
Department of Administration - Public Buildings Maintenance	1
Department of Administration - Purchasing Office Finance Division	1
Department of Administration - Risk Management Section	6
Department of Administration - School Buses	2
Department of Agriculture - Administration	3
Department of Agriculture - Agricultural Councils and Commissions	5
Department of Agriculture - Animal Services Division	13
Department of Agriculture - Environmental Services Division	6
Department of Agriculture - Plant Services Division	14
Department of Agriculture - State Agricultural Laboratory	2
Department of Building and Fire Safety	2
Department of Commerce	3
Department of Economic Security	1
Department of Economic Security - Arizona Works Program	1
Department of Economic Security - Child Support Enforcement	1
Department of Economic Security - Developmental Disabilities	3
Department of Economic Security - General Assistance Program	1
Department of Economic Security - Rehabilitation Services	1
Department of Economic Security - Social Services	1
Department of Economic Security - State Assistance Programs	1
Department of Economic Security - State Assistance Flograms Department of Economic Security - The JOBS Program	1
Department of Environmental Quality - Administration	1
Department of Environmental Quality - Air Pollution Control	15
Department of Environmental Quality - Environmental Reviews and Certification	2
Department of Environmental Quality - Environmental Reviews and Certification Department of Environmental Quality - Pesticides and Water Pollution Control	1
Department of Environmental Quality - Remedial Action	8
Department of Environmental Quality - Remedial Action Department of Environmental Quality - Safe Drinking Water	2
Department of Environmental Quality - Sale Drinking water Department of Environmental Quality - Solid Waste Management	5
Department of Environmental Quality - Solid Waste Management Department of Environmental Quality - Underground Storage Tanks	1
Department of Environmental Quality - Underground Storage Tanks Department of Environmental Quality - Waste Management	2
Department of Environmental Quality - Waste Management Department of Environmental Quality - Water Pollution Control	1
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Department of Environmental Quality - Water Quality Standards	1
Department of Environmental Security - Air Pollution Control	1
Department of Health Services - Administration	2
Department of Health Services - Child Care Facilities	3
Department of Health Services - Child Care Group Homes	3
Department of Health Services - Children's Rehabilitative Services	4
Department of Health Services - Communicable Diseases	2
Department of Health Services - Emergency Medical Services	3
Department of Health Services - Food Recreational and Institutional Sanitation	3
Department of Health Services - Health Care Institutions: Licensing	7
Department of Health Services - Laboratories	3
Department of Health Services - Occupational Licensing	5
Department of Health Services - Oral Health	1
Department of Health Services - Tobacco Tax-Funded Programs	1
Department of Health Services - Vital Records and Statistics	1
Department of Health Services - Waiver Programs	2
Department of Insurance	8
Department of Liquor Licenses and Control	2
Department of Public Safety - Concealed Weapon Permits	2
Department of Public Safety - Criminal Identification Section	2
Department of Public Safety - Private Investigators	2
Department of Public Safety - Security Guards	1
Department of Public Safety - Tow Trucks	1
Department of Revenue - Bingo Section	1
Department of Revenue - General Administration	4
Department of Revenue - Luxury Tax Section	1
Department of Revenue - Transaction Privilege and Use Tax Section	13
Department of Transportation - Administration	5
Department of Transportation - Commercial Programs	14
Department of Transportation - Highways	8
Department of Transportation - Overdimensional Permits	2
Department of Transportation - Taxes	3
Department of Transportation – Title, Registration and Driver Licenses	5
Department of Veterans' Services	2
Department of Water Resources	4
Department of Weights and Measures	1
Game and Fish Commission	19
Governing Committee for Tax Deferred Annuity and Deferred Compensation Plans	2
Government Information Technology Agency	3
Governor's Regulatory Review Council	2
Greater Arizona Development Authority	1
Industrial Commission of Arizona	13
Law Enforcement Merit System Council	1
Office of the Ombudsman - Citizens' Aide	2
Radiation Regulatory Agency	13
Radiation Regulatory Agency - Medical Radiologic Technology Board of Examiners	2
Registrar of Contractors	3
Secretary of State - Rules and Rulemaking	2
State Board for Charter Schools	4
State Board of Dental Examiners State Board of Education	4
State Board of Education State Land Department	24 7
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State Real Estate Department	2
State Retirement System Board	19
Veterinary Medical Examining Board	2
Water Infrastructure Finance Authority of Arizona	1
Water Quality Appeals Board	1

SUBSCRIPTIONS (PAPER SUBSCRIBERS)

Publication	Number of Subscribers
Arizona Administrative Code	321
Arizona Administrative Register	218
Chaptered Bills (the number of people requesting <i>all</i> bills filed)	121

LEGISLATIVE FILINGS

Legislative Session	Filed
46th Legislature, Second Special Session (2003)	7 Chaptered Bills 0 other legislative filings
46th Legislature, Second Regular Session (2004)	343 Chaptered Bills 27 other legislative filings

OTHER FILINGS

Туре	Filed
Executive Orders	24

PUBLICATIONS PRINTED AND DISTRIBUTED

Name of Publication	Number printed
Arizona Mobile Home Parks Residential Landlord and Tenant Act A.R.S. Title 33, Chapter 11 – The office was required under the law to print this publication through October 2003	Regular print - 49,640 Large print - 6,200
Arizona Residential Landlord & Tenant Act A.R.S. Tile 33, Chapter 10	Regular print - 96,500 Large print - 17,025
Notary Handbooks	62,800
Notary 101	17,100
Notary Laws & Rules	21,000
AZ/US Constitution	Regular print - 12,100 Large print - 1,875
Kids Activity Book	950
Trade Name publication	29,540
State Symbol Brochure	6,500
Welcome Brochures	4,400
Lobbyists publication	2,100
Bingo laws	75

2003-2004 EDITION OF THE ARIZONA BLUE BOOK

The 2003-2004 edition of the *Arizona Blue Book* was produced by the Public Services Division in this fiscal year. The *Arizona Blue Book* is printed under the authority of A.R.S. § 41-131. This edition includes colorful photos submitted by the Arizona Department of Tourism; an Arizona historical timeline; information for Arizona kids; and a story about the history of the state seal.

Information in the book includes:

- Executive, judicial and legislative branches;
- Agencies, boards and commissions;
- Native American nations and tribes;
- Arizonans in the federal government;
- History of the state, state symbols and state seal;
- Colleges and universities;
- Cities & county information; and
- Election information.



Pictured are softbound editions of the 2003-2004 Arizona Blue Book.

Contributors to this edition of the *Arizona Blue Book* include: members of the 46th Arizona Legislature (photos and biographies); The Arizona Department of Commerce (state history information); The Arizona Office of Tourism (photos and statistics); The *Arizona Republic* (information and graphics on Arizona's Native American tribes; The Bisbee Mining and Historical Museum (photo credits); The Arizona State Library, Archives, and Public Records, Archives Division, photos and historical information; and the League of Arizona Cities and Towns (government directory information). *Arizona Blue Books* were ordered at the end of the fiscal year and made available in FY '05.

Туре	Blue Books Ordered	Price
Softbound	1000	\$10
Hardbound	500	\$20

Under the law, money generated from *Arizona Blue Book* sales goes into a separate account other than the general fund. This separate account is a revolving fund that helps to offset printing costs of the next edition of the *Arizona Blue Book*.

SPECIAL PROJECTS SUPPORT

During the fiscal year, the Public Services Division staff and director supported the Election Services, Business Services and Administration with various projects.

The director supported: general Web site maintenance; design of special web pages including but not limited to the Election's military and overseas voting web pages and voter outreach web pages; posting of office publications online; META tagging of online publication; support to HAVA projects; Presidential Preference Election, including preparation for ballot drawing materials and artwork; Voter Registration form updates (October, 2003); support to the Voter Outreach Coordinator including but not limited to design of magnets and chip clips; office photography and graphics; support to the Accessible Voting Pilot project; and being project manager of the *Arizona Blue Book*. The director also reviewed and/or helped to produce press releases, media advisories and various office publications. Electronic releasing and posting of these projects to the Web site were maintained.

(Below) Some FY 2004 special projects include: design of special Web pages, producing the poster and ballot names for the PPE drawing; designing magnets, Kid's Voting bookmarks and chip clips for the Voter Outreach Program.

